

Notice of Allowability

Application No.

10/539,099

Applicant(s)

ENGL ET AL.

Examiner

Art Unit

TIMA M. MCGUTHRY-BANKS

1793

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/5/2009.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>included</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>6/15/2005</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Isaac Hubner on 13 May 2009.

The application has been amended as follows:

Claim 1. (Currently amended) Method for producing a steel product, ~~in particular a steel sheet or steel strip,~~ with a high yield strength, wherein a steel strip or sheet is produced from steel which contains (in % by weight):

C:	$\leq 1.00 \%$
Mn:	7.00 to 30.00 %
Al:	1.00 to 10.00 %
Si:	> 2.50 to 8.00 %
Al+Si:	> 3.50 to 12.00 %
B:	$< 0.01 \%$
Ni:	$< 8.00 \%$
Cu:	$< 3.00 \%$
N:	$< 0.60 \%$
Nb:	$< 0.30 \%$

Art Unit: 1793

Ti: < 0.30 %

V: < 0.30 %

P: < 0.01 %

and iron and unavoidable impurities as the remainder,

which strip or sheet is cold rolled to form a cold rolled strip,

from which the ~~finished~~ steel product is subsequently produced by cold forming that takes place at a degree of cold forming of 2.5 to 25 %.

Claim 11. (Currently amended) Method according to claim 10, characterized in that recrystallization annealing is carried out as bell-type annealing at a annealing temperature of 600°C to 750°C.

Claim 15. (Currently amended) Method according to claim 11, characterized in that the steel contains 0.002% by weight to less than 0.01% by weight boron.

Claims 17-19. (Cancelled)

The following is an examiner's statement of reasons for allowance: Guelton et al (US 6,358,338 B1) teaches manufacturing a strip made of Fe-C-Mn alloy (title) as stated in the office action mailed 1/4/2008. However, Guelton et al does not teach the degree of cold forming as claimed. Hoffmann et al (US 2003/0145911 A1) teaches producing strips from steel as stated in the office action mailed 1/4/2008. However, Hoffmann et al does not teach the degree of cold

Art Unit: 1793

forming as claimed. JP 04362128 (from Derwent abstract) teaches manufacturing a semi-process non-oriented magnetic sheet by finish rolling, winding, cold rolling recrystallizing annealing and final skin pass cold-rolling (title). The skin pass rolling is at 3-15% reduction (abstract). However, the amount of Mn is 0.1-1.0% [0009], and the method is specific to the composition (abstract). Kami et al (US 6,695,932 B2) teaches a cold rolled steel sheet (title). The sheet is temper rolled subsequent to cold rolling at an elongation of 1.0-15% (Claims 5 and 6). However, Kami et al teaches not more than 2.0% Mn (Claim 3). Morito et al (US 6,761,780 B2) teaches manufacturing a high Mn non-magnetic steel sheet (title). The sheet is cold rolled, annealed and temper rolled (abstract). However, Morito et al teaches 0.01-0.7% Al (column 2, line 33). The prior art of record does not disclose or suggest the degree of cold forming for the claimed steel composition as claimed.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMA M. MCGUTHRY-BANKS whose telephone number is (571)272-2744. The examiner can normally be reached on M-F 8:00 am - 4:30 pm.

Art Unit: 1793

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. M. M./
Examiner, Art Unit 1793
15 May 2009

/George Wyszomierski/
Primary Examiner
Art Unit 1793